

David A. Carroll (Nevada Bar No. 7643)
dcarroll@rrsc-law.com
Anthony J. DiRaimondo (Nevada Bar No. 10875)
adiraimondo@rrsc-law.com
Robert E. Opdyke (Nevada State Bar No. 12841)
ropdyke@rrsc-law.com
RICE REUTHER SULLIVAN & CARROLL, LLP
3800 Howard Hughes Parkway, Suite 1200
Las Vegas, Nevada 89169
Telephone: (702) 732-9099

Michael R. Reese (*pro hac vice*)
mreese@reesellp.com
REESE LLP
100 West 93rd Street, 16th Floor
New York, New York 10025
Telephone: (212) 643-0500

George V. Granade (*pro hac vice*)
ggranade@reesellp.com
REESE LLP
8484 Wilshire Boulevard, Suite 515
Los Angeles, California 90211
Telephone: (310) 393-0070

Counsel for Plaintiff and the Proposed Class

UNITED DISTRICT COURT
DISTRICT OF NEVADA

AMY GILLER, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

AIRBNB, INC., a Delaware corporation,

Defendant.

Case No. 2:24-cv-01266-RFB-BNW

**STIPULATION AND [*PROPOSED*]
ORDER TO ADJOURN DEADLINES
SET FORTH IN MINUTE ORDER,
DATED OCTOBER 2, 2024 (ECF NO.
31) PENDING DECISION ON THE
MOTION TO STAY DISCOVERY (ECF
NO. 32) AND SET BRIEFING
SCHEDULE ON MOTION TO STAY
DISCOVERY (ECF NO. 32)**

(FIRST REQUEST)

1 Plaintiff Amy Giller (“Plaintiff” or “Giller”), on one hand, and Defendant Airbnb, Inc.
2 (“Defendant” or “Airbnb”), on the other hand (together, the “Parties”), by and through their
3 respective undersigned attorneys of record, hereby stipulate and agree, subject to the approval of the
4 Court, to adjourn the deadlines set forth in the Court’s Minute Order, dated October 2, 2024 (ECF
5 No. 31), pending a decision on the Motion to Stay Discovery (ECF No. 32), which was filed on
6 October 15, 2024. This is the first request for relief concerning these deadlines.

7 1. On July 24, 2024, Airbnb filed two motions, the Motion to Compel Arbitration
8 (originally ECF No. 9, with corrected image filed the next day as ECF No. 11) and the Motion to
9 Dismiss (ECF No. 10) (the “Motions”). Pursuant to an extended briefing schedule agreed upon by
10 Plaintiff and Defendant and approved by the Court (ECF No. 19), on September 12, 2024, Plaintiff
11 filed her Opposition to the Motion to Dismiss (ECF No. 25) and her Opposition to the Motion to
12 Compel Arbitration (ECF No. 26). Under the extended briefing schedule, Defendant’s reply briefs
13 are due for filing on or before October 17, 2024.

14 2. On September 19, 2024, the Parties had their continued meet and confer via
15 Microsoft Teams regarding discovery scheduling pursuant to Federal Rule of Civil Procedure 26(f)
16 and LR 26-1.

17 3. On October 1, 2024, the Parties made a joint submission (ECF No. 30) notifying the
18 Court that the Parties disagree on the form and contents of the discovery plan and providing “a
19 statement of each party’s position on each point in dispute.” *See* LR 26-1(a).

20 4. On October 2, 2024, the Court entered a Minute Order (ECF No. 31) establishing a
21 Discovery Plan and Scheduling Order in accordance with LR 26-1(b) “[p]ending ruling on
22 Defendant’s forthcoming motion to stay discovery.”

23 5. On October 15, 2024, Defendant Airbnb filed its Motion to Stay Discovery (ECF
24 No. 32), which has an opposition deadline of October 29, 2024. The Parties agree to and respectfully
25 request that the Court order an extended briefing schedule on the Motion to Stay Discovery (ECF
26 No. 32) as follows: (a) Plaintiff’s response/opposition shall be due on or before November 6, 2024;
27 and (b) Defendant Airbnb’s reply shall be due on or before November 27, 2024. The request for
28 additional time only seeks an additional seven days for the response/opposition and fourteen days

for the reply. The request is reasonable and based on (a) the complexities of the issues raised; (b) the commitments of counsel in other matters; and (c) to allow additional time in the briefing schedule for observance of Nevada Day (October 25, 2024) and accommodating work schedules that may be impacted by voting on Election Day (November 5, 2024).

6. The Parties believe it is in their mutual best interest to dedicate their respective resources to completing the briefing on the Motion to Stay Discovery.

7. During this briefing period, Plaintiff does not intend to seek any discovery from Defendant Airbnb as Plaintiff expects it will only be met with objections concerning the pending Motion to Stay Discovery.¹ This will only cause unnecessary discovery disputes that are duplicative of the arguments presently before the Court on the Motion to Stay Discovery, which may further deplete this Court's judicial resources.

8. Subject to the Court's approval, the Parties request that the deadlines included in the Court's Minute Order (ECF No. 31) be adjourned/vacated pending decision on the Motion to Stay Discovery.

9. If the Motion to Stay Discovery is denied, the Parties agree to meet and confer within ten (10) days thereafter and submit a new Discovery Plan to the Court.

///

///

///

///

///

///

///

///

¹ For avoidance of doubt, this is not a waiver of any of Plaintiff's positions that discovery should not be stayed during the pendency of the Motions.

10. Good cause exists to grant this stipulation and it is submitted in good faith, is not interposed for delay, and is not filed for an improper purpose.

Dated: October 17, 2024

Dated: October 17, 2024

Respectfully submitted,

Respectfully submitted,

**RICE REUTHER SULLIVAN &
CARROLL, LLP**

FENNEMORE CRAIG, P.C.

/s/ Anthony J. DiRaimondo

/s/ Richard I. Dreitzer

David A. Carroll, Esq. (NSB #7643)
Anthony J. DiRaimondo, Esq. (NSB #10875)
Robert E. Opdyke, Esq. (NSB #12841)
3800 Howard Hughes Parkway, Suite 1200
Las Vegas, Nevada 89169

Richard I. Dreitzer, Esq. (NSB #6626)
Luis E. Montanez, Esq. (NSB #16281)
Caleena S. Braig, Esq. (*Pro Hac Vice*)
9275 W. Russell Road, Suite 240
Las Vegas, Nevada 89148

Attorneys for Plaintiff and the Proposed Class

Attorneys for Defendant Airbnb, Inc.

ORDER

IT IS SO ORDERED



U.S. MAGISTRATE JUDGE

Dated: October 18, 2024